

## **2007-2008 Charter Review Committee**

**Middletown, RI**

**Minutes of the Meeting of**

**Thursday, July 12, 2007**

**Attendance:** Barbara Von Villas, Virgel Blaschke, David Leys, Frank Forgue, Elizabeth Pike Bozyan, and Lucie-Anne Dionne-Thomas were present, as was Shirley Mello, Town Council liaison to the committee. Robert Matose arrived at about 7:30 p.m. Morrie Seiple and William O'Connell were absent.

**The meeting was held at Town Hall and was called to order at 7:03 p.m.**

**Minutes of June 7, 2007 meeting were approved.**

**Old Business:** Upcoming meetings are scheduled for August 2 and September 6, 2007. September 6 was mistakenly reported as September 2 in the minutes of the June 7, 2007 meeting.

**New Business:** The committee members in attendance, after discussions, approved the following elements with respect to changes to Sec. 201 of the Charter:

**The town council shall consist of seven members elected from the town at large, each to serve for a term of four years or until his/her**

**successor is elected and qualified.**

**a. The three members with the most votes at the first general election after the adoption of this charter shall hold office for four years and the remaining four for two years.**

**b. Thereafter, town council members shall serve for four-year terms.**

**· 4 voted in favor; 2 (Leys & Bozyan) voted against; Matose not yet at meeting**

**After serving two terms, members shall be ineligible to hold office as a town council member until two years have intervened.**

**· 6 voted in favor; Matose not yet at meeting**

**The election of town council shall be by nonpartisan election, an election without designation or identification of political affiliation.**

**· 7 voted in favor**

**As a result of the votes on the above-referenced elements, the proposed language for Sec. 201 of the Charter will be as follows:**

**Sec. 201. Number; selection and term of members.**

**The town council shall consist of seven members elected from the town at large, each to serve for a term of four years or until his/her successor is elected and qualified. The three members with the most votes at the first general election after the adoption of this charter shall hold office for four years and the remaining four for two years.**

**Thereafter, town council members shall serve for four-year terms.**

**Further provided that, after serving two terms, members shall be ineligible to hold office as a town council member until two years have intervened.**

**The election of town council shall be by nonpartisan election, an election without designation or identification of political affiliation.**

**Approved by all 7 members in attendance was the proposal to include a provision for recall. Some language discussed was the following: “In the event that 10% of the registered voters believe that any elected official may not be acting in the best interest of the town, there shall be a recall election.” There was concern about whether 10% was an appropriate amount. Therefore, all 7 members decided to table the language and the content of the provision and to investigate recall provisions of other municipalities.**

**Approved by all 7 members in attendance was the proposal that gender neutrality be stipulated not simply in an opening section at the beginning of the document, with applicability to the whole document, but rather throughout the document. Liz Bozyan accepted the responsibility to examine the entire charter to determine which sections needed revision to insure gender neutrality. A motion was made, seconded and carried to propose the following language regarding gender neutrality: “To provide for appropriate changes to reflect gender neutrality in sections XX, YY, ZZ, etc. of the Charter.” After Liz Bozyan determines the sections that would need to be**

**changed, the numbers of these sections would be inserted into the proposed provision.**

**A motion was made, seconded and carried by the 7 members in attendance to approve the following language with respect to conflicts of interest:**

#### **Sec. 211. Conflicts of Interest.**

**In accordance with RIGL § 36-14-1, et seq. as well as any rules or regulations promulgated by the RI Ethics Commission, no official of the Town elected or appointed, shall utilize his/her position to forward, directly or indirectly, his/her personal interest. Personal interest includes the interests of a spouse or dependent child as well as any business or entity in which the official has a financial interest. In the case of personal interest, as defined by state statute or ethics commission, in the proposition before him/her as town official, he/she shall abstain from voting on, or otherwise participating in, any matter that will, or can reasonably be expected to, directly result in an economic benefit to the person, or spouse (if not estranged), or any dependent child of the person, or business associate or any business by which the person is employed or which the person represents.**

**A motion was made, seconded and carried by the 7 members in attendance to add Section 207(p) which would address competitive bidding and which would provide for obtaining 3 or more quotes for**

**purchases of \$5,000 and under and provide for full competitive procedures for purchases in excess of \$5,000.**

**A motion was made, seconded and carried by the 7 members in attendance to provide for Periodic Charter Review every 5 years as opposed to every 10 years. This would result in changing the language of the first sentence of Sec. 1201 of the Charter to read as follows: “This Charter may be amended at any time, and shall be reviewed at least every five years or a new Charter adopted in the manner provided by the Constitution.”**

**A motion was made, seconded and carried by the 7 members in attendance to change Sec. 207(g) to read:**

**Bond Limitation Without Referendum. No bonds shall be issued pledging the credit of the town in excess of 1% of the property tax levy in any one fiscal year unless submitted to a vote of the electors at either a general or special election, and approved by a majority of the electors voting at said election.**

**Revision of Section 204 of the Charter was tabled to examine the provisions of the Emergency Operations Plan adopted in January of 2004, as amended, and how that document may impact the language of the role of the Presiding Officer.**

**A motion was made, seconded and carried by the 7 members in**

**attendance to revise the second sentence of Section 305 of the Charter to read as follows: “Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the town administrator; individual council members shall not seek to direct the actions of the Town Administrator and neither the council nor any member thereof shall give orders to any subordinates of the town administrator, either publicly or privately.”**

**The committee agreed to carry forward further discussion of Articles IV and V. Also scheduled for the agenda for the August 2, 2007 meeting is Article VI.**

**The meeting adjourned at 8:33 p.m.**

**Respectfully submitted,**

**/s/**

**Lucie-Anne Dionne-Thomas**

**Secretary**

**Handout:**

- List of term limits by RI municipalities**